

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

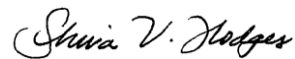
Alex D. Taylor,)	C/A No.: 1:12-547-TLW-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Amanda Albright, Classification Case)	
Worker; Wayne McCabe, Warden,)	
)	
Defendants.)	

This matter comes before the court on Plaintiff's motion to compel further responses to his requests for production to Defendants ("Requests"). [Entry #27]. Plaintiff submitted a copy of Defendants' May 30, 2012 responses to the requests for production ("Responses"), wherein Defendants claimed not to have possession of many documents, including SCDC policies and procedures. Plaintiff argues that it is unreasonable that Defendants, and particularly Warden McCabe, do not have ready access to such materials.

In response, Defendants assert (1) Plaintiff's motion is moot in light of their Responses and (2) that they are not in possession of the requested documents. [Entry #28]. The court finds that Plaintiff's motion is not moot because the adequacy of the Responses is at the heart of Plaintiff's motion. Additionally, although Defendants have responded that they are not in possession of the requested documents, absent further explanation, it appears unreasonable that a warden of an SCDC institution does not have ready access to SCDC policies and the other Requests made.

Based on the foregoing, Plaintiff's motion is granted and Defendants are ordered to submit supplemental responses to Plaintiff's Requests, either providing the requested documents or providing an explanation of why such documents are not in their possession. Counsel for Defendants are reminded that their signature on any pleading or discovery document constitutes a representation to the court pursuant to Fed. R. Civ. P. 11 about the information provided therein.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

June 29, 2012
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge